

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED FOOD AND COMMERCIAL
WORKERS UNION, LOCAL 1564,

Plaintiff,

v.

Civ. No. 23-0335 JFR/KK

SMITH'S FOOD AND DRUG CENTERS, INC.,

Defendant.

INITIAL SCHEDULING ORDER

This case is assigned to me for scheduling, case management, discovery, and all other non-dispositive motions. Counsel and *pro se* parties are required to comply with the Local Civil Rules of the United States District Court for the District of New Mexico, as well as the Federal Rules of Civil Procedure. Civility and professionalism are required of counsel throughout this litigation. Counsel *must* comply with the State Bar of New Mexico's "Creed of Professionalism."

Counsel and any *pro se* parties will **"meet and confer" no later than Friday, August 11, 2023**, to discuss: (a) the nature and bases of their claims and defenses; (b) the possibility of a prompt resolution or settlement; (c) proposed deadlines for filing dispositive motions, producing the administrative record, requesting to supplement the record, objecting to the record, and briefing the merits of Plaintiff's claims; and (d) any other matters relevant to scheduling in this case, including which procedural rules should govern such matters.

The parties will cooperate in preparing a Joint Status Report setting forth: (a) their agreed-upon or dueling proposed schedule(s); (b) any agreements or disagreements regarding the procedural rules that should govern scheduling in this case, including whether the case should be

subject to a typical scheduling order under Federal Rule of Civil Procedure 16(b); (c) any other proposals regarding how the case should proceed; and (d) whether one or more parties request that the Court hold a telephonic status conference to address any of the foregoing matters. The Court will determine actual case management deadlines after considering the parties' requests. Plaintiff, or Defendant¹ in removed cases, is responsible for electronically filing the JSR by **Monday, August 21, 2023**. Parties may not modify case management deadlines on their own. Good cause must be shown and the Court's express, written approval obtained for any modification of the case management deadlines that the Court establishes at the scheduling conference.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Kirtan Khalsa". The signature is fluid and cursive, with the first name "Kirtan" and last name "Khalsa" clearly distinguishable.

KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE

¹ Herein, the terms "Plaintiff" and "Defendant" encompass both singular and plural meanings.